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SENATE BILL 663

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

James G. Taylor

AN ACT

RELATING TO PUBLIC WORKS; AMENDING THE PUBLIC WORKS APPRENTICE AND TRAINING ACT TO ALLOW EXPENDITURE OF FUNDS FOR APPROVED APPRENTICE AND TRAINING PROGRAMS NOTWITHSTANDING CERTAIN LIMITING LANGUAGE OF THE GENERAL APPROPRIATION ACT; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 13-4D-5 NMSA 1978 (being Laws 1992, Chapter 74, Section 5) is amended to read:

"13-4D-5. FUND CREATED--DISBURSEMENT OF FUNDS.--There is created the "public works apprentice and training fund" in the labor and industrial division of the labor department.

Contributions into the fund shall be as provided under the provisions of Section [~~4 of the Public Works Apprentice and Training Act~~] 13-4D-4 NMSA 1978. Funds contributed under the

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1 provisions of the Public Works Apprentice and Training Act  
2 shall be distributed in the following manner:

3 A. no more than fifteen percent of the funds may be  
4 used by the public works bureau of the labor and industrial  
5 division of the labor department to hire staff to administer  
6 the funds collected by the division; and

7 B. the remainder of the funds shall be used for  
8 approved apprentice and training programs in New Mexico. The  
9 labor and industrial division of the labor department shall  
10 develop an annual budget [~~to~~] and, subject to appropriation by  
11 the legislature in the general appropriation act, shall  
12 disburse funds to approved apprentice and training programs in  
13 New Mexico, taking into account participant contact hours of  
14 classroom instruction and on-the-job training for the preceding  
15 year, to be not less than ninety percent of one hundred  
16 forty-four contact hours of classroom instruction per  
17 participant per school year and not less than one thousand  
18 hours of on-the-job training per twelve-month period.

19 Notwithstanding any language in the general appropriation act  
20 that otherwise limits budget adjustments, if the fund balance  
21 available for disbursement to approved programs exceeds the  
22 amount appropriated, pursuant to Sections 6-3-23 through 6-3-25  
23 NMSA 1978, the labor department may request budget increases up  
24 to the excess fund balance for distribution to the programs."

25 Section 2. TEMPORARY PROVISION--PUBLIC WORKS APPRENTICE

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1 AND TRAINING FUND-- 2004 APPROPRIATION. -- Money appropriated in  
2 the General Appropriation Act of 2004 from the public works  
3 apprentice and training fund for apprentice and training  
4 programs but not disbursed and expended because of budget  
5 adjustment limitations contained in that act shall be disbursed  
6 and expended in fiscal years 2005 and 2006 notwithstanding  
7 those limitations.

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